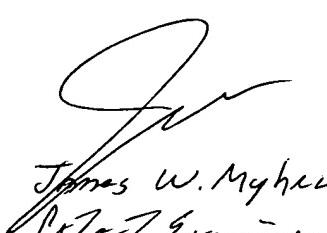


|   |                                      |                                       |  |
|---|--------------------------------------|---------------------------------------|--|
| <b>Interview Summary</b>  | Application No.<br><b>09/385,489</b> | Applicant(s)<br><b>Sullivan et al</b> |  |
|   | Examiner<br><b>Dan Lastra</b>        | Group Art Unit<br><b>2162</b>         |  |
| <span style="font-size: 2em; color: #800000;">#10</span>  |                                      |                                       |  |
| <p>All participants (applicant, applicant's representative, PTO personnel):</p> <p>(1) <u>Dan Lastra</u> <u>D.L.</u> (3) <u>Adam Masia</u> <u>AM</u></p> <p>(2) <u>James Myhre</u> (4) _____</p>  |                                      |                                       |  |
| <p>Date of Interview <u>Oct 30, 2001</u></p>  |                                      |                                       |  |
| <p>Type: a)<input type="checkbox"/> Telephonic b)<input type="checkbox"/> Video Conference<br/>     c)<input checked="" type="checkbox"/> Personal [copy is given to 1)<input type="checkbox"/> applicant 2)<input checked="" type="checkbox"/> applicant's representative]</p>   |                                      |                                       |  |
| <p>Exhibit shown or demonstration conducted: d)<input type="checkbox"/> Yes e)<input checked="" type="checkbox"/> No. If yes, brief description:</p> <p>_____</p> <p>_____</p>  |                                      |                                       |  |
| <p>Claim(s) discussed: <u>1, 30, 37, and 77</u></p>   |                                      |                                       |  |
| <p>Identification of prior art discussed:<br/><u>Jones (5,832,458)</u></p>  |                                      |                                       |  |
| <p>Agreement with respect to the claims f)<input type="checkbox"/> was reached. g)<input checked="" type="checkbox"/> was not reached. h)<input type="checkbox"/> N/A.</p>  |                                      |                                       |  |
| <p>Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:</p> <p><u>The Applicant Representative argued that the reference did not disclose all of the steps in the independent claims. In particular, it was noted that the claims included the feature that the third party (auditor) did not perform the calculation to determine the amount of reimbursement due to the retailer as set down by the trade promotion contract. The Examiner noted that the reference did not explicitly disclose which entity was performing the calculations and, therefore, could be interpreted to read that the auditor was performing the calculations. The Examiner also noted that additional references would probably be used in the next Office Action to explicitly show the third party performing the calculations. The Applicant Representative stated that the arguments presented during the interview would be further expanded in the response with at least some of the claims being further amended to explicitly identify which entity is performing the calculations and other featured steps.</u></p> |                                      |                                       |  |
| <p>(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)</p>   |                                      |                                       |  |
| <p>i)<input checked="" type="checkbox"/> It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).</p>  |                                      |                                       |  |
| <p>Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached</p>   |                                      |                                       |  |
| <br><i>James W. Myhre</i><br><i>Patent Examiner</i>   |                                      |                                       |  |
| <p>Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.</p>   |                                      |                                       |  |